

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

GARY DUANE ZIEHL,

Plaintiff,

v.

No. CV 14-0432 KG/LAM

**F.N.U. VELARDE, and
M. GONZALEZ,**

Defendants.

ORDER FOR PERSONAL SERVICE OF PROCESS

THIS MATTER is before the Court *sua sponte* pursuant to 28 U.S.C. § 1915(d) and Fed. R. Civ. P. 4(c)(3). Pursuant to an order entered on January 12, 2015 (*Doc. 15*), the Clerk issued notice and waiver of service forms, with copies of Plaintiff's complaint (Documents 3, 4, 9, and 12), for Defendants Gonzalez and Velarde.¹ Neither Defendant has returned a waiver of service, and it appears to the Court that personal service of the summons and complaint (Documents 3, 4, 9 and 12) is required in this matter. *See* Fed. R. Civ. P. 4(c)(3), (d)(2). Under Rule 4(d)(2), the Court must impose costs of service on a defendant who, without good cause, does not comply with a request to waive service.

IT IS THEREFORE ORDERED that the Clerk is directed to issue summonses for Defendants Gonzalez and Velarde, and the U.S. Marshal shall serve the summonses personally on these Defendants, with copies of the complaint (Documents 3, 4, 9 and 12), as directed by the Clerk. The service of the summonses and complaint shall be at no cost to Plaintiff.

¹ While the January 15, 2015 order directed the Clerk to issue copies of Documents 1, 4, 9, and 12 (*see Doc. 15* at 3), the Court notes that the docket reflects that Document 3 was issued, which is a corrected copy of Document 1 that includes the back side of the complaint.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE